

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AUSTIN KADE GOINGS,

Defendant.

CR-19-83-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 18, 2023. (Doc. 100.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 17, 2023. (Doc. 96.) The United States accused Austin Goings, (Goings) of violating his conditions of supervised release 1) by failing to report to his probation officer as directed; and 2) by failing to notify his probation officer of a change in residence. (Doc. 93.)

At the revocation hearing, Goings admitted to having violated the conditions of his supervised release 1) by failing to report to his probation officer as directed; and 2) by failing to notify his probation officer of a change in residence. (Doc. 96.) Judge Johnston found that the violations Goings admitted prove serious and warrant revocation of his supervised release and recommends a sentence of 5 months, with 52 months of supervised release to follow. (Doc. 100.) Goings was advised appeal rights and his right to allocute before the undersigned. (Doc. 96.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 100) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Austin Kade Goings be sentenced to the Bureau of Prison for 5 months with 52 months of supervised release to follow.

DATED this 5th day of September, 2023.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court